

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

DIEM T. NGUYEN,

Plaintiff,

v.

KAISER FOUNDATION HEALTH
PLAN, INC. et al.,

Defendants.

Case No. SA CV 17-00905-PSG (DFM)

Order Accepting Report and
Recommendation of United States
Magistrate Judge

Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings and all the records and files herein, along with the Report and Recommendation of the assigned United States Magistrate Judge. No objections to the Report and Recommendation were filed, and the deadline for filing such objections has passed. The Court accepts the findings, conclusions, and recommendations of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that Judgment be entered (1) dismissing Plaintiff's § 1983 claims against Defendants County of Orange, Garcia, Gonzales, Naganuma, Transqu, Phan, Ryan, Beckner-Pavone, Boyce, Lottman, Salazar-Allen, Murphy, Sapiga, and Chang with prejudice as barred by the doctrine of collateral estoppel; (2) dismissing Plaintiff's § 1983 claims against Defendants Johnson, Dunn, and Randall with prejudice for failing to state a claim; (3) dismissing Plaintiff's § 1983 claims against Defendants Kaiser

Foundation Health Plan, Inc., Kaiser Foundation Hospitals, Southern California Permanente Medical Group, Philipson, Dubyak, Williams, Castulo, Thibert, Kilgore, Barczak, and Aslam with prejudice as barred by the doctrine of collateral estoppel; (4) dismissing Plaintiff's state-law claims without prejudice to refiling in state court; (5) denying as moot Defendant Aslam's request for entry of default; and (6) directing that this action be dismissed.



Date: August 8, 2019

PHILIP S. GUTIERREZ
United States District Judge